

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| | | |
|-------------------------------|---|------------------------|
| In re Application of: |) | |
| |) | |
| Fumitsugu FUKUYO et al. |) | Confirmation No.: 2791 |
| |) | |
| Application No.: 10/507,340 |) | Group Art Unit: 2818 |
| |) | |
| Filed: June 17, 2005 |) | Examiner: Dung Anh Le |
| |) | |
| For: METHOD OF CUTTING OBJECT |) | |
| TO BE PROCESSED |) | |

Commissioner for Patents
U.S. Patent and Trademark Office
Customer Window, Mail Stop Amendment
Alexandria, VA 22314

Sir:

REQUEST FOR RECONSIDERATION TRANSMITTAL FORM

1. Transmitted herewith is a Request for Reconsideration in response to the Office Action dated September 8, 2008.
2. Additional papers enclosed:

- | | |
|-------------------------------------|--|
| <input type="checkbox"/> | Drawings: _____ sheets with _____ figures |
| <input type="checkbox"/> | Information Disclosure Statement |
| <input type="checkbox"/> | Form PTO-1449 |
| <input type="checkbox"/> | Citations |
| <input type="checkbox"/> | Revocation of Power of Attorney and Grant of New Power of Attorney |
| <input checked="" type="checkbox"/> | Terminal Disclaimer over U.S. Patent No. 6,992,026 |

3. Extension of Time

The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136(a) apply.

- ☐ Applicants believe that no extension of time is required. However, this conditional petition is being made to provide for the possibility that Applicants have inadvertently overlooked the need for a petition and fee for extension of time.
- ☒ Applicants petition for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a), for the total number of months checked below:

| <u>Total Months Requested</u> | <u>Fee for Extension</u> | <u>[Fee for Small Entity]</u> |
|--|--------------------------|-------------------------------|
| <input type="checkbox"/> one month | \$ 130.00 | \$ 65.00 |
| <input type="checkbox"/> two months | \$ 490.00 | \$ 245.00 |
| <input checked="" type="checkbox"/> three months | \$ 1,110.00 | \$ 555.00 |
| <input type="checkbox"/> four months | \$ 1,730.00 | \$ 865.00 |

Extension of time fee due with this request: \$1,110.00.

If an additional extension of time is required, please consider this a Petition therefor.

- ☐ An extension for _____ months has already been secured and the fee paid therefor of _____ is deducted from the total fee due for the total months of extension now requested.

4. Constructive Petition

- ☒ **EXCEPT** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0573. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

5. Fee Calculation (37 C.F.R. §1.16)

| CLAIMS AS AMENDED | | | | | | |
|---|---|-------|--------------------------------|------------------|----------------|------------|
| | Claims Remaining After Amendment | | Highest No. Previously Paid | Present Extra | at Rate of | Total Fees |
| Total Claims (37 C.F.R. §1.16(c)) | 20 | minus | 20 | 0 | x \$52 each = | + \$0.00 |
| Independent Claims (37 C.F.R. §1.16(b)) | 13 | minus | 13 | 0 | x \$220 each = | + \$0.00 |
| [] First presentation of Multiple dependent claim(s) | | | | | \$390.00 | + \$0.00 |
| SUB-TOTAL = | | | | | | \$0.00 |
| Reduction by ½ for filing by a small entity | | | | | | -\$0.00 |
| TOTAL FEE = | | | | | | \$0.00 |

6. Fee Payment

- ☐ No fee is to be paid at this time.
- ☐ Enclosed is a check in the amount of \$_____ for the one-month extension of time.
- ☒ Total Fee **(\$1,250.00)** to include (\$1,110.00 for the three-month extension of time fee and \$140.00 for the Terminal Disclaimer fee) is to be charged to a credit card. **WARNING: Information on this form may become public. Credit card information should not be included on this form.**
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, including fees due under 37 C.F.R. §§ 1.16 and 1.17, or credit any overpayment to Deposit Account 50-0573.

Respectfully submitted,

DRINKER, BIDDLE & REATH LLP

Dated: March 2, 2009

By: _____

Peter J. Sistare

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